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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,333	06/26/2003	Kenny Carl Richardson		2855

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EXAMINER

OLSON, LARS A

ART UNIT	PAPER NUMBER
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3617

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/603,333

Applicant(s)

RICHARDSON ET AL. 

Examiner

Lars A Olson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities: Claim 1 is in the form of a plurality of sentences. All claims must be in the form of a single sentence. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 1 recites the limitation "the rope" in line 2. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 1 recites the limitation "the Anchor Assist guide" in line 3. There is insufficient antecedent basis for this limitation in the claim.
6. Claim 1 recites the limitation "the front and rear views" in lines 4-5. There is insufficient antecedent basis for this limitation in the claim.
7. Claim 1 recites the limitation "the guide" in line 5. There is insufficient antecedent basis for this limitation in the claim.

8. Claim 1 recites the limitation "the upper guides or rollers" in line 9. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 1 recites the limitation "the center roller" in line 10. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 1 recites the limitation "the front roller" in line 13. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 1 recites the limitation "the vertical guide or roller assemblies" in lines 13-14. There is insufficient antecedent basis for this limitation in the claim.

12. On line 19 of Claim 1, mounting holes are claimed that accommodate fasteners for mounting the claimed apparatus to boats "with adequate modification to accommodate safe mounting". It is unclear to the examiner what types of boats can be considered to be "adequately modified" to accommodate safe mounting of the claimed apparatus.

13. On lines 21-22 and 27 of Claim 1, a frame is claimed that is made from aluminum "or other suitable metal". It is unclear to the examiner what other metals can be considered to be "suitable" for making the claimed frame.

14. Claim 1 recites the limitation "the front uprights" in line 26. There is insufficient antecedent basis for this limitation in the claim.

15. Claim 1 recites the limitation "the roller height" in line 34. There is insufficient antecedent basis for this limitation in the claim.

16. On line 39 of Claim 1, a center roller is claimed that is made from UHMW plastic "or similar material". It is unclear to the examiner what material can be considered to be "similar" to UHMW plastic.

17. On line 56 of Claim 1, a vertical guide is claimed that is made from UHMW plastic "or similar material". It is unclear to the examiner what material can be considered to be "similar" to UHMW plastic.

18. On lines 78-85 of Claim 1, it is indicated that the description of the claimed apparatus illustrates "some preferred embodiments and should not be construed as a limitation on the scope of the invention". The applicant has thus specifically stated that Claim 1 is indefinite, since it is boundless in scope. Multiple embodiments of the claimed apparatus should be claimed separately by the applicant as separate independent claims. Any further limiting details should be claimed in dependent form as depending claims from the independent claims.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Johnson (US 5,996,524), Thimander (US 4,362,119), Barbour (US 4,248,171), Piotrowski (US 4,057,025), Eudy et al. (US 3,952,683), Dennis et al. (US 3,865,065), Uher (US 3,704,680) and Davis (US 3,554,153) all disclose various forms of boat anchor davits with a guide roller for guiding an anchor rope or chain.

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20. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (703) 308-9807.

lo

March 9, 2004

LARS A. OLSON
PATENT EXAMINER

Lars Olson
3/9/04